

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

IN RE ZAPPOS.COM INC., CUSTOMER) 3:12-cv-325-RCJ-VPC
DATA SECURITY BREACH)
LITIGATION) **ORDER**
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Pending before the Court is Defendant's Motion to Dismiss (ECF No. 122) and Defendant's Motion to Strike (ECF No. 124). The Court also considers Plaintiff's Joint Motion for Appointment of Counsel (ECF No. 191).

This case arises from a security breach that allegedly compromised the private information of Defendant’s customers including names, addresses, and credit card tails. (Preira Second Am. Compl. ¶ 32, ECF No. 118). The parties report that they are making good progress towards settlement, (ECF Nos. 195, 200), and they have stipulated to stay the proceedings until January 2015 pending further mediation, (ECF No. 201). Therefore, the Court, without expressing any position on the merits of the case, denies without prejudice Defendant’s motions. The Court grants Plaintiffs’ unopposed motion for the appointment of counsel.

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CONCLUSION

IT IS HEREBY ORDERED that Defendant's Motion to Dismiss (ECF No. 122) and its Motion to Strike (ECF No. 124) are DENIED without prejudice.

IT IS FURTHER ORDERED that Plaintiff's Motion for Appointment of Counsel (ECF NO. 191) is GRANTED.

IT IS SO ORDERED.

Dated: — September 18, 2014

~~ROBERT C. JONES~~
United States District Judge